

AO 245B (CASDRev. 08/13) Judgment in a Criminal Case

## UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

15 MAR -4 PM 12:37

UNITED STATES OF AMERICA

V.

ROMAN BENTURA-ORTIZ

## JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 14CR2954-LAB

CARLOS CRISTOBAL RUAN

Defendant's Attorney

REGISTRATION NO. 16346035

☐ Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)☒ pleaded guilty to count(s) ONE OF THE INFORMATION☐

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section

8 USC 1326

Nature of Offense

REMOVED ALIEN FOUND IN THE UNITED STATES

Count  
Number(s)

1

The defendant is sentenced as provided in pages 2 through 4 of this judgment.

The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_☐ Count(s) \_\_\_\_\_ is dismissed on the motion of the United States.☒ Assessment : \$100.00  
-☒ No fine ☐ Forfeiture pursuant to order filed \_\_\_\_\_, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

March 2, 2015

Date of Imposition of Sentence

  
 HON. LARRY ALAN BURNS

UNITED STATES DISTRICT JUDGE

14CR2954-LAB

AO 245B (CASD Rev. 08/13) Judgment in a Criminal Case

DEFENDANT: ROMAN BENTURA-ORTIZ  
CASE NUMBER: 14CR2954-LAB

Judgment - Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of:  
16 MONTHS

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
- ☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at \_\_\_\_\_ A.M. on \_\_\_\_\_

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ on or before

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

**RETURN**

I have executed this judgment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

14CR2954-LAB

AO 245B (CASD Rev. 08/13) Judgment in a Criminal Case

DEFENDANT: ROMAN BENTURA-ORTIZ  
CASE NUMBER: 14CR2954-LAB

Judgment - Page 3 of 4

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:  
**3 YEARS**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons unless removed from the United States.

The defendant shall not commit another federal, state or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (*Check, if applicable.*)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC section 3583(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (*Check if applicable.*)
- ☐ The defendant shall participate in an approved program for domestic violence. (*Check if applicable.*)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (CASD Rev. 08/13) Judgment in a Criminal Case

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DEFENDANT: ROMAN BENTURA-ORTIZ  
CASE NUMBER: 14CR2954-LAB

Judgment - Page 4 of 4

**SPECIAL CONDITIONS OF SUPERVISION**

Not reenter the United States illegally.

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## FAST TRACK CHART

Date	Case No.	Defendant	Charge	Fast Track
12/8/2014	14CR1939-LAB	CARLOS CAMACHO-MUNOZ	18:1544 - Misuse of Passport	X
12/8/2014	14CR1661-LAB	JESUS HERNANDEZ-BARRALES	8:1326(a)(b) - Attempted Reentry of Removed Alien	X
12/8/2014	14CR2237-LAB	EDGAR ALEJANDRO ESTRADA-VILLARREAL	8:1326(a), (b) - Removed Alien Found in the United States	X
12/8/2014	14CR2371-LAB	CESAR MATA	8:1326(a),(b) - Removed Alien Found in the United States	X
12/8/2014	14CR2636-LAB	YONNATAN MANUEL ROBLERO-CHAVEZ	8:1324(a)(1)(A)(i), (v)(II) - Bringing In Illegal Aliens and Aiding and Abetting	X
12/15/14	14CR1465-LAB	JOSE ANTONIO CORONEL	21:846, 841(a)(1) - Conspiracy to Distribute Methamphetamine (Felony)	X
12/15/14	14CR1525-LAB	GUADALUPE WILCHES BALTAZAR	21:952 and 960 - Importation of Marijuana	X
12/15/14	14CR2008-LAB	SANDRA MUHLBACH	21:952 and 960 - Importation of Heroin and Methamphetamine	X
12/15/14	14CR3237-LAB	JORGE CEBADA-CORONA	18:1544-Misuse of Passport (Felony)	X



12/22/14	14CR1436-LAB	JUAN LUEVANO-ABARCA	21:841(a)(1) - Possession of Heroin with Intent to Distribute	X
12/22/14	14CR2451-LAB	EVA BARRAGAN DEL TORO	21:952,960 - Importation of Methamphetamine	X
1/12/15	14CR1465-LAB	ABRAHAM ANTONIO JUAREZ (2)	21:846, 841(a)(1) - Conspiracy to Distribute Methamphetamine	X
1/12/15	14CR2045-LAB	FRANCISCO ANTONIO GALLO-TAVIZON	21:952 and 960 - Importation of Methamphetamine	X
1/12/15	14CR2822-LAB	OSCAR NOE PARADA-CALDERON	8:1326(a) and (b) - Removed Alien Found in the United States	X
1/20/15	14CR2091-LAB	RAMON BASTIDAS-CASTRO	21:952,960 - Importation of Methamphetamine	X
1/20/15	14CR2513-LAB	CARLOS ANTONIO MORAN-ARCE	8:1325 - Improper Entry by an Alien (Misdemeanor) 8:1325 - Improper Entry by an Alien (Felony)	X
1/20/15	14CR2536-LAB	JESUS JERONIMO-CARRILLO	21:952, 960 - Importation of Methamphetamine	X
1/20/15	14CR2684-LAB	WAHAJII ALLAL-PLACENCIA	21:952, 960 - Importation of Methamphetamine	X
1/20/15	14CR2813-LAB	ORLANDO LAVON JACKSON	21:952, 960 - Importation of Methamphetamine	X

1/20/15	14CR2826-LAB	JAIME COSME-RODRIGUEZ	8:1326(a) and (b) - Removed Alien Found in the United States	X
1/20/15	14CR3506-LAB	EMETERIO ORTIZ-FELIX	8:1326(a) and (b) - Removed Alien Found in the United States	
1/29/15	14CR3742-LAB	JOSE ANTONIO SANCHEZ-GUZMAN	18:1544 - Misuse of Passport	X
1/29/15	14CR2306-LAB	OSCAR ANDRES MACIAS-SANDOVAL	21:952 and 960 - Importation of Methamphetamine	X
2/17/15	14CR2851-LAB	ONESIMO RAMIREZ-SOTO	8:1326(a),(b) - Removed Alien Found in the United States	X (-2)
2/17/15	14CR1309-LAB	JOSE MANUEL SEGURA-DEL REAL	8:1326(a), (b) - Attempted Reentry of Removed Alien	X(-2)
2/17/15	14CR2675-LAB	VIDAL MARTINEZ-VASQUEZ	8:1326(a),(b) - Removed Alien Found in the United States	
2/17/15	14CR3017-LAB	ARMANDO IGNACIO ARCIGA-REYNA	8:1326(a),(b) - Removed Alien Found in the United States	X
2/23/15	14CR2533-LAB	ANDY FLORES ORELLANA	21:952, 960 - Importation of Methamphetamine	X
2/23/15	14CR3009-LAB	ILSE JAQUELINE SERRANO-VALLADOLID	21:841(a)(1) - Possession of Methamphetamine with Intent to Distribute	X

2/23/15	14CR3261-LAB	JORGE LUIS AUSENCIO GIL- VELASQUEZ	21:952 and 960 - Importation of Methamphetamine	X
2/23/15	14CR3340-LAB	JUAN RODRIGUEZ- MORALES	8:1326(a),(b) - Removed Alien Found in the United States	X
2/23/15	14CR3346-LAB	JAIME BARRETO- MORENO	8:1326(a),(b) - Removed Alien Found in the United States	X
3/2/15	14CR2954-LAB	ROMAN BENTURA- ORTIZ	8:1326(a),(b) - Removed Alien Found in the United States	
3/2/15	14CR2955-LAB	DEISY VARGAS	8:1324(a)(2)(B)(iii) );18:2 - Bringing in Illegal Aliens Without Presentation; Aiding and Abetting	X (-2)
3/2/15	14CR3036-LAB	MARCO ANTONIO RIOS-MARTINEZ	21:952 and 960 - Importation of Cocaine	X
3/2/15	14CR3119-LAB	EDUARDO QUEZADA	21:952 and 960 - Importation of Methamphetamine and Cocaine	X
3/2/15	14CR3301-LAB	DELFINO DEJESUS- MARTINEZ	8:1326(a), (b) - Removed Alien Found in the United States	